

Docket No: 04985:0207.00US00/38-10(15498)A

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Yongwei Cao *et al.*

Art Unit: 1656

Serial No: 09/404,520

Examiner: Strzelecka

Filed : September 23, 1999

For: *Emericella nidulans* Genome

October 23, 2001

and Uses Thereof

Amendment

Box Non-Fee Amendment  
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Responsive to the Office Action mailed 05/23/01 with a three (3) month shortened statutory period for response, applicant submits herewith a petition for extension of time of two (2) months under 37 CFR 1.136(a) to make timely the following response requesting amendment and reconsideration of the requirement for restriction to a single sequence.

## IN THE CLAIMS

Cancel claims 29-30 and 47-56.

Rewrite allowable claims 57 and 58 in independent form as indicated below.

## Certificate of Facsimile Transmission

I hereby certify that this correspondence including a petition for extension of time is being facsimile transmitted to the USPTO, Fax No: 703-308-4242 on October 23, 2001

  
Thomas E. Kelley, Registration No. 29,938

BEST AVAILABLE COPY

CEREON  
GENOMICSCEREON GENOMICS, LLC  
45 SIDNEY STREET

CAMBRIDGE, MA 02139

FAX RECEIVED

OCT 24 2001

GROUP 1600

DATE October 23, 2001

TO Assistant Commissioner for Patents

Attention: Examiner Teresa E. Strzelecka at Art Unit: 1656

FAX 703-308-4242

FROM Thomas E. Kelley, Reg. No. 29,938

PHONE 617-551-8240

FAX 617-551-1960

CC

SUBJECT Response in Serial No. 09/404,520

PAGES 8 including this cover sheet

FACSIMILE

نسخة طبق الأصل

ファクシミリ送付状

FAC-SIMILÉ

Факсимиле

FAXSIMILE

फैक्समिलि

TELEFAX

โทรสาร

FAC-SIMILE

傳真

TELEFAXS

전송 사진

FAXSYMILE

传真

FAX

RE: Application Serial No. 09/404,520  
Art Unit 1656  
Examiner Teresa E. Strzelecka

Enclosed are:

5 pages of a Response to the Office Action mailed 05/23/01.  
2 pages of duplicates of a Petition for Extension of Time

## Certificate of Facsimile Transmission

I hereby certify that this correspondence is being facsimile transmitted to the USPTO, Fax No:  
703-308-4242 on October 23, 2001

Thomas E. Kelley, Registration No. 29,938

Privileged information may be contained in this fax and is intended only for the use of the addressee. If you are not the addressee, do not copy or deliver this to anyone else. If you receive this fax by mistake, telephone the sender. Thank you.

a collaboration of  
MONSANTO • MILLENNIUM

BEST AVAILABLE COPY